

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 7-2005)

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

20213

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)  
**107591617**  
Unassigned

INTERNATIONAL APPLICATION NO.  
**PCT/JP2005/003482**

INTERNATIONAL FILING DATE  
**2 March 2005 (02.03.2005)**

PRIORITY DATE CLAIMED  
**5 March 2004 (05.03.2004)**

TITLE OF INVENTION  
**TOGGLE-TYPE MAGNETORESISTIVE RANDOM ACCESS MEMORY**

APPLICANT(S) FOR DO/EO/US  
**Noboru SAKIMURA, Tadahiko SUGIBAYASHI and Takeshi HONDA**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4.  The US has been elected (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10.  An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11.  A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12.  A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 23 below concern document(s) or information included:**

13.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15.  A **FIRST** preliminary amendment.
16.  A **SECOND** or **SUBSEQUENT** preliminary amendment.
17.  A substitute specification.
18.  A power of attorney and/or change of address letter.
19.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20.  A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21.  A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22.  Express Mail Label No. **EV 894910185 US**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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23. Other items or information:  Nineteen (19) sheets of drawings Assignee: NEC Corporation of Tokyo, Japan																																																																																				
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The fee is \$250 for each additional 50 sheets of paper or fraction thereof.         </td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole)</td> </tr> <tr> <td>88 - 100 =</td> <td>0 /50 =</td> <td>0</td> </tr> <tr> <td></td> <td></td> <td>x \$250.00</td> </tr> <tr> <td colspan="3">Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> </tr> <tr> <td>Total claims</td> <td>14 - 20 =</td> <td>0</td> </tr> <tr> <td>Independent claims</td> <td>1 - 3 =</td> <td>0</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIMS (if applicable)</td> </tr> <tr> <td colspan="3" style="text-align: center;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> </tr> <tr> <td colspan="3"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.         </td> </tr> <tr> <td colspan="3" style="text-align: center;"><b>SUBTOTAL =</b></td> </tr> <tr> <td colspan="3">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> </tr> <tr> <td colspan="3" style="text-align: center;"><b>TOTAL NATIONAL FEE =</b></td> </tr> <tr> <td colspan="3">Fee for recording the enclosed assignment (37 CFR 1.21(h)). 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PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021  
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1A20Rec0701/P10 05 SEP 2006

a.  A check in the amount of \$ \$900.00 to cover the above fees is enclosed.

b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

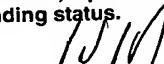
c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-1013/SSMP. A duplicate copy of this sheet is enclosed.

d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Paul J. Esatto, Jr.  
SCULLY SCOTT, MURPHY & PRESSER, P.C.  
400 Garden City Plaza - Suite 300  
Garden City, NY 11530  
Customer Number: 23389

  
SIGNATURE

Paul J. Esatto, Jr.

NAME

30,749

REGISTRATION NUMBER

September 5, 2006

DATE

AP20 Rec'd PCT/PTO 05 SEP 2006

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Noboru SAKIMURA, et al.

Docket No.

20213

Application No. <b>10/591617</b> Unassigned	Filing Date Herewith	Examiner Unassigned	Customer No. 23389	Group Art Unit Unassigned
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Invention: TOGGLE-TYPE MAGNETORESISTIVE RANDOM ACCESS MEMORY

I hereby certify that the following correspondence:

New U.S. Patent Application Under 35 U.S.C. 371

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

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